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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

LINDA TELLSWORTH, et al.,	)	
	)	Case No. 3:00-cv-00293-JKS
Plaintiff,	)	
	)	<b>STATUS REPORT</b>
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Third-Party Plaintiff,	)	
	)	
vs.	)	
	)	
MICHELLE DAGUE,	)	
	)	
Third-Party Defendant.	)	
	)	

This case has been held in abeyance because the criminal case against Michelle Dague continues. Counsel for plaintiff and defendant have conferred about the status of this case.

The Alaska Supreme Court , in case S-12453, denied the petition to appeal last year's decision of the Alaska Court of Appeals which remanded the case to the superior court to allow the parties to litigate proposed aggravating factor AS 12.55.155(c)(5) before Ms. Dague is sentenced for manslaughter. The retrial of the aggravating factor is tentatively scheduled to be tried starting April 9, 2007, but the ADA assigned to the case cautioned the undersigned that the trial date is very tentative due to the calendar of the assigned judge and could well be continued to a later date.

Accordingly, counsel for plaintiff and defendant suggest that the stay in the present civil case should continue and that the parties provide this Court with an additional status report on or before May 1, 2007.

Respectfully submitted, this 18th of January 2007.

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 18, 2007,  
a copy of the foregoing STATUS REPORT  
was served electronically on George Kapolchok  
and Peter Maassen.

s/ Richard L. Pomeroy